

33

17

A

SERMON

Preach'd at the

694.9.24
1760

ASSIZES

HELD AT

Brentwood in Essex,

August 7. 1728.

Before the Right Honourable

The Lord Chief Justice *EYRE*,

AND

Mr. Baron *HALE*.

By ARTHUR ASHLEY SYKES, D. D.
Rector of *Rayleigh in Essex*, and Chantor
of the Church of *Sarum*.

LONDON:

Printed for JAMES and JOHN KNAPTON,
at the *Crown* in *St. Paul's Church-Yard*.
MDCCLXXVIII.



W

H

The
Vil

Edw
Thom
Char
Peyt
Josia
Geo.
Will
John

This
R

35
To the Right Worshipful

William Asburst Esq;

High Sheriff of the County of *Essex*,

And to the

Gentlemen of the Grand Jury,

VIZ.

The Right Honourable *RICHARD*
Viscount Lord *CASTLEMAINE*.

Edward Luther Esq;

Thomas Heath Esq;

Charles Jones Esq;

Peyton Altham Esq;

Josias Kingman Esq;

Geo. Montgomery Esq;

William Cleeland Esq;

John Goodere Esq;

Henry Hall Esq;

William Nicholson Esq;

Robert Surman Esq;

John Salter Esq;

Nebemiah Bennet Esq;

William Dautry Esq;

Samuel Mortimer Gent.

Richard Solley Gent.

This *SERMON* (published at your
Request) is dedicated by,

Gentlemen,

Your most obedient Servant,

A. A. SYKES.

To the Right Honorable

William A. Smith

High Sheriff of the County of Essex

57 of 100

General of the Grand Army

214

THE RIGHT HONOURABLE RICHARD
WILSON LESTER, M.P.

[illegible]

Report is dedicated to
The SERMON (published at four

General

General

James M. Smith

44272 A.A.

S A M. II. 25.

*If one Man sin against another,
the Judge shall judge him: but
if a Man sin against the Lord,
who shall intreat for him?*

WHEN *Eli's* Sons had behaved themselves in that shameful manner which the Historian describes, so as that their *Evil dealings*, v. 23. were the common Discourse of *all the People, Eli*, with too much Mildness reprov'd them, and expostulated with them about their Crimes. Where flagrant Actions are committed, and Men are guilty of Things which all Mankind agree in condemning, 'tis unbecoming Lenity to *expostulate* the Case; and such Mildness does but encourage the Offender to go on in his Wickedness. How good

B

natur'd

natur'd therefore soever *Eli* was, yet his Conduct was justly censurable, to hear such general Outcries against his Children, and yet to reprove them timorously as He did, —v. 23, 24. *Why do ye such things? for I hear of your evil Dealings by all this People. Nay; My Sons: for it is no good Report that I hear; ye make the Lord's People to cry out. No good Report! Could any Report be possibly worse, or could Crimes of a deeper dye be thought of, than what these Sons of Belial were guilty of? But the Tenderness of the Parent was too strong for Reason; and what call'd aloud for Severity was touch'd with as much Softness, as if it had been an innocent Trifle, or a careless Breach of mere Decorum.*

He proceeds — *If one Man sin against another, the Judge shall judge him.* If Men are guilty of Injuries towards one another, there is a common disinterested Person appointed by the Community to do that which is Right amongst them, and He is armed with Power in order that His Decrees may be executed. *But if a Man sin against the Lord,* —if He offend in things

things solely pertaining to God, *who shall intreat for him?* — *Eli* cou'd not mean to intimate that no Man ought to intercede with God for such an Offender. Common Humanity, and Natural Religion, and Good Nature, and the Desire of all Mens Happiness wou'd lead *every Man* that had any Bowels in him, to pray to God to pardon an Offence committed against him. But this place shou'd be render'd, as in the Margin of some of our Bibles, — *Who shall make himself a Judge for him?* God will assuredly avenge his Cause; But Man ought not to set himself up for a Judge over another in such Cases.

There could not be a more just and true Remark than this: But it was not enough in *Eli* to teach his Sons these Truths; He ought to have exerted himself in those things which certainly were in his Power, and not thro' his Remission, and Indulgence to his Children, have made Men *abhor the Offering of the Lord*, v. 17.

But

But I do not design to consider *El's* Case, but the Proposition He laid down, — *If one man Sin against another, the Judge shall judge him: But if a Man sin against the Lord, who shall intreat for him? Or, who shall make himself a Judge for him?*

All Sin consists in the voluntary doing of what is not Right in it self, or in the voluntary Neglect of That which is Right. There must be some Standard of our Actions, by which they ought to be reduced and by which they ought to be tried: and wheresoever different Rules are made the Tests, these Actions will appear innocent or criminal, just according to what they are measur'd by. Where all that is required from any Man is an outward Conformity to a certain Law, He that complies so far is *Just*, and *Upright*; Because *not to offend* is all that is expected, and he that does *not offend* is upright. Where the thing required is the Concurrence of the *Will*, and of the *Heart*, as well as of the *outward Act*, He is an Offender, who does not comply

ply in *Will* as well as in the *outward Act*. Men then may compare their Actions by very different Rules; and they may appear very different, under different Comparisons. No one therefore should imagine himself as Upright, and Just as he ought to be, when he hath so contrived his Actions as to make them conformable to one Rule, if at the same time he neglects to conform them to another which requires an equal Obedience. For where there are different Laws, there *different Sanctions* may be annexed, and Men may be accountable to *different Judges* for their Actions: And where the *Laws* and the *Sanctions*, and the *Judges* are in fact entirely different, common Sense will teach us that the *Rights* of each should be kept distinct, and that the one should not encroach upon the Privileges of the other.

My Text supplies us with a plain Instance of what has been said: *If one man sin against another, the Judge shall judge him: But if a man sin against the Lord, who shall make himself a Judge for him.* The Laws which every Nation

in the World makes for it self, are the Measures of Mens Political Behaviour to one another; they fix their Properties, and bound their Liberties; and secure their Persons from Injuries and Violence, by such Sanctions as each People thinks best for it self. And where-ever any Man invades another's Rights, an indifferent common Judge between the contending Parties is enabled to determine the Differences which may arise, and punish the Offender: But then, *if a Man sin against the Lord*, if He offend against a Law of which there is appointed no human Judge, *who shall make himself a Judge?* who shall presume to take to himself the Rights and Privileges of God, and inflict Punishments for the breach of those Laws, whose *Guardian, or Protector*, He was never constituted?

But to be more particular. The Design of God in making us *Reasonable* Creatures was, that we should conform our Actions to *Reason*: That we should consider the Relations, and the Circumstances of Things, and direct our Actions according to them. Now these Relations being

fix'd

fix'd and unalterable, and the Mind of Man being so made that it perceives this constant and unchangeable Agreement or Disagreement---Hence it becomes obliged to act according to such Perceptions. When any one considers God as the Creator, the Director and Governor of the Universe, and of all Things in it, He cannot but consider himself as *Dependent* upon him; dependent for his Life, dependent for whatever he enjoys, and dependent for whatever he expects. The Perception of the Circumstances we are in with relation to God, shews it to be fit and right that we should behave our selves as dependent upon him, *i. e.* that we should acknowledge our selves his Creatures, *ask* of Him whatever we stand in real need of, and *thank* him for whatever good Things we have. It is just the same in relation to MAN; All social Duties, Justice, Magnanimity, Charity, every Virtue, and every thing that is lovely and praise-worthy is perceived and approved by every rational Agent to be *right*, and fit to be done: As Perfidiousness, Injustice, Ingratitude, and every Vice is in its own Nature wrong, and

disapproved by every rational Agent, and condemned in him that does them.

From hence it follows, that those Duties which are founded upon the Nature of things, must be of constant and perpetual Obligation to all Creatures capable of perceiving their fitness: And they act as inconsistent with their Natures, whenever they refuse to comply with these Perceptions, as they do when they choose Pain, or refuse to embrace consistent Pleasure. This therefore must be a *Law* to *rational Agents*, a Rule of Action which they must never swerve from; and being founded in our very Frame and Make, it must be designed by him that made us, that we should invariably observe it, in order to our true Happiness. And on the contrary, whenever Men do any thing inconsistent with Truth, where-ever Diffimulation is practis'd, or that which really is not right in it self, is done; where-ever Uprightness and Honesty, and Sincerity in our Dealings are not used, there the Action is not what Reason requires, but 'tis something as different from what we are obliged to, as Pretence is from Reality. The *Hypocrite* may act
his

his Part so dextrous, that Men may be unable to discover him: And hence a well-disguis'd Vice may pass for Virtue; and what may be owing to want of Opportunity, may be imputed to want of Will: But then such disguised Actions are not Virtue, how well soever they may appear; they are in reality Vices, how artfully soever cover'd; and he that mistakes the one for the other, confounds the most distant Things in Nature: He blends together Deformity and Beauty, and treats Darkness and Light as one and the same Idea.

But however clear the Voice of God may be, utter'd in the still and undisturbed Calm of *Reason*, yet *Reason* is little heard in the Noise of tumultuous Passions. The *Rectitude* of Goodness, or of virtuous Actions, is little attended to in the Hurry of Appetite; much less is that Beauty, that lovely Harmony of things perceived by Souls immers'd in Matter. We are made up of *Sense* as well as *Reason*; and whenever That is indulged, This visibly declines. *Reason* therefore, and the Obligations arising from it, are seldom powerful enough to keep Mankind in order, or to make them

them perform their Duties. What, in general, avails *Religion*, or what the Sense of God, or what does any Truth, against violent Temptations from without, and as strong Inclinations from within? There are indeed some happy *Few* whom nothing can warp from their Duties, or can influence to make them act an absurd, irrational, or wicked Part. But how *Few* are kept innoxious and just, upright and honest, by the Love of Virtue? How *Few* are moved by the Sense of Goodness, or do conform their Actions to the Dictates of *Reason*? How *Few* curb in their Passions, or can deny themselves in the Gratification of unreasonable Pleasures; or can bring themselves to reflect upon the Justice, the Honour, the Equity of their Inclinations?

The Law of Reason then being, (not *insufficient* for the Regulation of our Actions, for 'tis certainly sufficient; but being) *little observed*, and *little regarded*, and its Sanctions little minded by careless and corrupt Men, hence appears the Necessity of another Law which may regulate Mens Actions towards one another, and secure the common Quiet. The Law of Reason
would

would certainly, if followed, produce publick Happiness: Men would always be just, and sober, and neither invade the Properties of others, nor break in upon their Liberties, nor injure their Persons, nor falsify their Oaths, nor violate their Faith: And this would be done from internal Principles, from a Self-consciousness of the Fitness or Unfitness of the Action. But these *inward* Motives being often discarded, and neglected, it became necessary to regulate the *External* Actions of Men, and to take Cognizance of them, and thus to provide for the Publick Security.

Were there no such thing as Laws, Men would be too apt to be partial to themselves, and to their own Cases; Passion and Prejudice would be too apt to blind them; or superior Strength or Cunning would give them too much Encouragement to be injurious to others. It is universally seen, that Power follows Property; and where-ever Power is, if it be not regulated, or confined by proper Means, it is too often exerted to the Ruin of Inferiors. There is therefore a Necessity of stated common Laws, and of stated common Judges,

Judges, who being free from those Passions, or Interests, which Parties concern'd are influenc'd by, should determine the Controversies which may happen in Societies, and without regarding the Views of particular Persons, should put an end to Strifes, and thus protect the Injur'd, and succour the Distress'd, and keep Offenders in order.

And here the *Principles* of Men are not so much consider'd, as their *Practices*. If thro' any *false Principle* they can bring themselves to do what is inconsistent with the Publick Safety, the Magistrate pays no Regard to that, but his Duty is to execute the Law, and to see that the Commonweal takes no harm. And indeed in this chiefly consists the Difference betwixt *Divine* and *Human* Laws, that the *One* is then only observ'd when the *Heart* concurs with the outward Act; the *Other* is obey'd when the *outward Act* is done even in Contradiction to the Will: In the *One* the Man is not just, if the *inward Design* is not added to Action; In the *Other* the Letter of the Law is the Rule, and the Magistrate is unconcern'd at the Will, provided the

the things enjoined are done, or the things prohibited are not done.

And indeed stated Laws, common to all, and fix'd known Judges, and proper Punishments, is all that is necessary to secure the Publick Quiet from any Mischiefs which its *own* Members may do. Punishments regularly inflicted, and proportional to Crimes, will always produce their desired Effect; nor do I think there is any Political Evil, which may not effectually be stopp'd, provided the supreme Power is determin'd to put an End to any Practice. But where proper Laws are not made, as in some particular Cases, or they are not duly put in Execution, as in some others, or the Penalties are not exacted upon proper Persons, as in some others still, it is not to be wonder'd, if some Political Evils enormously abound. But to return.

Hitherto I have consider'd the *Law of Nature*, or *right Reason*, and the *Law of Men*, instituted for social Happiness; But *Revelation*, or the *Laws of Christ*, have not been consider'd. Nor is there

D

any

any thing of greater Consequence to Society than right Notions of These. Now These containing what God expressly requires of us, and regarding the Hearts of Men, cannot possibly be obey'd, so long as Men proceed no further than mere *external Compliances*: And therefore they are the same, in the present Point of View, with the Laws of Nature. It is plain that the Duties of Christianity, and all its Obligations, are *Internal and Spiritual*; and those who pretend to obey these, and yet do no more than comply with the *outward Act*, are condemn'd in Scripture as *Hypocrites*, and threatn'd with the Severity of God's Wrath. *Beware*, says our Saviour to his Disciples, *Luke xii. 1. of the Leaven of the Pharisees, which is Hypocrisy: for there is nothing covered that shall not be revealed, neither hid that shall not be known.* Whatever we do in Christianity, is to be done in *singleness of Heart*; not with Eye-service as Men-pleasers, but as the *Servants of Christ, doing the Will of God from the Heart; with Good-will doing Service, as to the Lord, and not to Men, knowing that whatsoever good Things any Man doth,*

doth, the same shall he receive of the Lord, *Ephes. vi. 5.---8.* Or if we consider the Matters of our *Belief*,---These are not empty Words, or mere Sounds, but are Propositions to which Assent of the Mind is to be given: Nor is it in the Power of Man, arm'd with all the Engines of human Terrors, to make a Man *believe*, unless he can convince him, and thus bring him to the Acknowledgment of the Truth. What *St. Paul* has said concerning the Necessity of speaking in an intelligible manner, holds equally true in relation to *Belief*---*Except ye utter by the Tongue Words significant, how shall it be known what is spoken? for ye speak unto the Air. Therefore if I know not the Meaning of the Voice, I shall be unto him that speaketh a Barbarian; and he that speaketh, shall be a Barbarian unto me, 1 Cor. xiv. 9. 11.* Just so it is in Matters of *Belief*: He that makes use of *Sounds unknown and insignificant*, believes nothing, nor has any Reason why he utters *These Words* more than *Others*: He is a *Barbarian* to another that understands what he gives his Assent to, as likewise he that understands

what he believes must be a *Barbarian* to that other.

True Christianity therefore, whether it be considered in what it *enjoins* or *forbids*, or whether its *Articles of Faith* be considered, being that of the *Heart, in the Spirit, and not in the Letter, whose Praise is not of Men but of God*, Rom. ii. 29. it must be in its nature *internal*, i. e. it can never be seen or known by Men, whether certain Actions proceed from real *inward* Principles, or whether they are the Result of *Cunning, and Hypocrisy*: and consequently Christianity is never to be confounded with *Legal Constitutions*, or with *Political Ends*, or with what is ordain'd for the Sake of *Publick Peace, and Happiness*.

The *Law of Nature, and Christianity* being thus Different in themselves from *Human Laws*, 'tis easy to see that they must have different Sanctions annexed, and different Judges must be appointed in order to execute their respective Punishments. *If one Man sin against another,*
the

the Judge shall judge him: but if a Man
 sin against the Lord, who shall make
 himself a Judge for him? Where the
 Nature of an Offence is such that no
 Mortal can discover whether a Man be
 guilty of it, or not, it is impossible to
 charge any one, much less to *condemn*,
 or to acquit him. The Nature of the
 thing shews it to be exempt from their
 Judgment, who can not distinguish be-
 twixt *Obstinacy* and *full Assurance*, or be-
 twixt the Dictates of *Conscience*, and
Pravity of Heart. Where the Law re-
 gards the *outward* Acts of Men relative
 to One Another, there 'tis easy to judge
 of the Guilt, and to find out the Offen-
 der; 'tis easy to see that the Law is vio-
 lated, that an Injury is done, and the
 Party is aggrieved; and 'tis often easy to
 make him amends, or to prevent like
 Acts of Injustice: But where the Law is
 given to regulate the *Thoughts*, and *in-
 ward Motions* of the Heart, by what Test
 can you discover whether, in many In-
 stances, the Law be broke? Or if you
 find by the Effect that the Law is broke,
 (as in some Cases it may be easy to do,)
 yet even *That* will give no Right to
 punish

punish the Offender, unless a Power were committed expressly for that purpose. *For who art thou that judgest another Man's Servant?* Rom. xiv. 4. Or how has He who has a Right to punish in his *own Jurisdiction*, acquired a Right to punish Offenders in that which belongs to Another?

For this Reason it is, that God has appointed a Day in which he will judge the World in Righteousness by that Man whom he hath ordained, whereof he hath given Assurance unto all Men in that he hath rais'd him from the dead, Acts 17. 31. Here we are accountable for every thing we do inconsistent with Human Constitutions: But besides this, *We must all appear before the Judgment-Seat of Christ, that every Man may receive according to what he hath done, whether it be good or bad.* 2 Cor. v. 10. Natural Reason, our Frame and Make, the Disposition of the things of this World, the Nature of God, and of our own Souls, —every thing shews that we are accountable for all our Actions: And since we must be judged by God for the Breach of
His

His Laws, who shall make himself a Judge over another here? To his own Master he shall stand or fall. Rom. xiv. 4.

We are then accountable to *God*, and we are accountable to *Man*, and sometimes to *Both*, for One and the same Action. You will say perhaps that it is unjust to be punished twice for the same Crime. But the Answer is, In every Act of Injustice, Violence, and Oppression, whenever any one is guilty of Murder, Theft, or any other such like Crime, not only the *Law of God* is broke, but that of *Man* too: The Public Peace is injured, and the Society is hurt, and the Punishment inflicted here is in consequence of That. The Punishment inflicted by God is for the Breach of the Law of God, for the Violation of That Law, which was given to correct our Hearts and Thoughts, and to make us live as becomes reasonable Creatures, and good Christians. All *Sin is the Transgression of a Law*; and consequently, where no Law is transgressed, there can be no Offence. Where no Law of God is broke, with respect to God Man is innocent,
and

and righteous, and will be treated as such. As likewise where the Laws of Men are strictly kept, there no Guilt can be incurred. As Punishment therefore is the Consequence of Guilt, and Guilt arises from the Violation of a Law, 'tis evident that we must be accountable to God for the Breach of *His* Law, as much as we are to Man for the breach of *His*.

From what has been said we may make these useful Inferences.

First, From hence it appears in what Sense Religion is necessary or useful to Government. Religion consists in the Practice of that which is right and fit in it self, from the Apprehension of its being pleasing to, and making our selves acceptable unto God. Wherever any one is convinc'd, that his Actions make him acceptable or disagreeable to his Maker, he will be more cautious how he offends, and avoid whatever may prove detrimental to him. And whilst the Heart is influenc'd by a Sense of Right and Wrong as beneficial, or detrimental to him, even in another Life, the outward Act in which

Society

Society is immediately concern'd will be avoided.

Secondly, In the State that is most perfect, (if Reason be allowed to judge of such Perfection) the Boundaries of Divine and Human Laws will be most religiously observ'd: And as its right to lay before our selves the most perfect *Plan* of *Morality* in order to direct our Actions, rather than the *Examples* of the Best of Men we know, (because the Best of Men must endeavour to govern themselves by such a Plan, and yet notwithstanding that, they swerve from it in some Instances,) so in case of Communities, we should always form our Notions from the Reason and Truth of Things, rather than from the Models, which in Fact we see in the World. The nigher any Society approaches to what is true in Theory, the nigher it approaches to Perfection: Just as the nigher any Man lives up to the Exactness of *Moral* Rules, the better, and more rational, and more lovely he is; as on the contrary the further he departs from them, the more absurd, and wicked is he, till at last the abandon'd Wretch is justly detested by all.

E

Where

Where therefore *True Liberty* abounds, (I do not mean *Licentiousness*, for that is inconsistent with the Laws of God, and destructive to Society, and to the Rights of human kind, and therefore cannot be too severely punish'd: But) where *true Liberty* abounds, a *Liberty* to worship God according to Conscience, -- a *Liberty* to judge for one's self in Matters which relate only to one's self; a *Liberty* to enjoy in quiet the Rights of Conscience; a *Liberty* to speak one's Sentiments, where they interfere not with the *Civil Rights* of Men; a *Liberty* in *Civil Matters* bound only by the *End* of Society, or the *Reasons* for which Society is founded -- Where such a *Liberty* as this is, there must be, if Reason in Theory will hold good in Practice, the utmost Perfection, and the utmost Happiness; and in Consequence the nigher the Approach is, the more desirable the Society. Happy we in this Kingdom! who can boast of these Privileges, and enjoy them under a King and Queen who know no other Pleasure than to rule over Freemen, and would despise a Dominion over Slaves.

Lastly,

Lastly, There will be not so much Danger of Confusion to a Society, where the Difference betwixt *Human* and *Divine* Laws is strictly observ'd, as there is, where fallible Men presume to make themselves Judges over others in Cases whose Cognizance relates alone unto the Lord. And the Reason is, the greatest Cause of Confusion is then remov'd: For Liberty always produces Charity, and Charity will ever produce Benevolence, and Peace, and good Neighbourhood, and Sociableness, in which Things the Happiness of Society consists. On the contrary, the instant Men are put under unreasonable Restraints, their Passions are rais'd; Friendships are broken; there is a constant Ground for Uneasiness laid; and, hence have sprung most of those lasting *Sects* which have torn Christianity into pieces. The Narrowness of some has been the Cause of Narrowness in others; and where a contracted Spirit on all sides reigns, the Effects of it will soon appear in Hardships and mutual Provocations, and Resentments; and if Opportunities arise, in Injuries, and Feuds, and Contentions, and every Disorder. This must

must necessarily weaken the Society, occasion infinite Difficulties, tend to embarrass Affairs, and by the Artful Management of sometimes one Side, and at other times of the other, *Both Sides* are in their Turns the Sport, and sometimes the Prey of wicked ambitious Men. The Advice of the Apostle therefore is of the utmost Importance, not only in respect to our Acceptableness with God, but likewise to our present *Happiness*.---*Put on therefore as the Elect of God, holy and beloved, Bowels of Mercy, Kindness--forbearing one another---And above all these things put on Charity, which is the Bond of Perfection*, Col. iii. 12.---14. And, *stand fast in that Liberty wherewith Christ has made us free*, Gal. v. 1.

F I N I S.

